

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN EDWARD FAVEL,

Defendant.

CR-11-28-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter November 8, 2016. (Doc. 69.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 1, 2016. (Doc. 69 at 3.) Favel admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Favel's supervised release. Judge Johnston has recommended that the Court revoke Favel's supervised release

and commit Favel to the custody of the Bureau of Prisons for four months. *Id.* at 4. Judge Johnston further has recommended that 14 months of supervised release, including six months at a Residential Reentry Center, follow his custody period. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Favel's violations of his conditions represent a serious breach of the Court's trust. A sentence of four months custody followed by 14 months supervised release, six months of which must be spent at a Residential Reentry Center, represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 69) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Stephen Edward Favel be sentenced to four months custody followed by 14 months of supervised release, six months of which must be spent at a Residential Reentry Center.

DATED this 23rd day of November, 2016.



Brian Morris
United States District Court Judge